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QUESTION XIX. How Mortal and Venial Sin Relate and Differ from Each Other

I SUPPOSE with our Philip Faber in his additions to 4 of Scotus, judicial disputation 5, chapter 3, number 49, that something is called venial sin in three ways. First because it is able to obtain pardon. In which sense Ambrose in book on Paradise, chapter 14, said that every sin of a wayfarer becomes venial through penance and baptism. Second it is taken for any sin from weakness. And in these two ways the signification is too broad and improper. Third therefore venial sin is taken as it is contrasted with mortal. Only Jovinian, following the Stoics, denied the division of sin into mortal and venial: for they made all sins equal. Augustine refuted them in tome 5, book on Heresies, chapter 82, and Jerome in book 2 against Jovinian. And although other heretics acknowledge the division with us, nevertheless in assigning the difference of mortal from venial, they have introduced various errors, which Curiel refutes in question 88, article 1, Bellarmine on the state of sin from chapter 9, Lorca in disputation 58, member 2, Becanus in treatise 2, on sins, chapter 2, question 1, number 3. For Wycliffe posited all sins of the reprobate as mortal, but of the predestined as venial, who asserted that these are remitted, but not those. Luther said that the sins of the infidels are mortal but of the faithful venial. Luther added that even in the baptized there were mortal sins, but only those which were committed from full advertence through malice. Melanchthon in reality followed Luther. Finally Calvin, partly agreeing with Luther, partly with Wycliffe, asserted that the elect never fall from faith, and thus never sin mortally.

Against all these heretics I establish the Catholic truth, first against Jovinian, that mortal sin is given. Which is therefore called such by a certain transference from bodily diseases: for there are certain diseases inducing the death of the body, so this sin induces the death of the soul, which is the loss of grace. Thus in Wisdom 16: "Man through malice kills his soul." Paul to the Galatians 5: "they who do such things will not obtain the Kingdom of God." In this sense St. Thomas in 1.2, question 88, article 1, says: "mortal and venial differ, as irreparable and reparable." That mortal is thus unequal to venial is proved from chapter 24 of Proverbs: "The just man falls seven times a day." In which place it is supposed that there are some sins compatible with the justice and cleanness of the soul, which is sanctifying grace; but this is naturally impossible with mortal sin, therefore venial unequal to mortal is given. Again against Wycliffe and other heretics this reason suffices: Adam was predestined from chapter 10 of Wisdom, and similarly Magdalene and David, the thief, and Peter; and yet Magdalene was in the city a sinner, Luke 7. David sinned by homicide and adultery, 2 Kings 12. The thief sinned by stealing, and therefore it is said in Luke 23: "Also two other wicked ones were led with him." Peter denied Christ, Matthew 26, therefore the predestined and faithful can also sin mortally.

Nor does the argument of the heretics hinder from Ezekiel 18: "The soul that sins, it shall die." Deuteronomy 24: "Cursed is he who does not abide in the word of this law." Romans 5: "The wages of sin is death." For it is responded: That Ezekiel is speaking about Idolatry, homicide, and Adultery, all of which from their nature are mortal sins, but is not speaking about all sins; just as neither is Paul: for he speaks about the mortal sin of Adam, which transfused into us is original. In the place from

Deuteronomy the discourse is about him who does not abide in the observance of the law, by seriously harming virtue, not however about him who does not abide in the observance of the law, by lightly harming virtue. There are other arguments of the heretics, which are founded in two heresies: for they judge that justification through grace is not given; And that only the deputation of God constitutes sin, all of which are heretical.

Some Sins are Venial from Their Nature, and Some Mortal.

Among Catholics, Gerson in part 3, treatise on spiritual life, lecture 1, corollary 1, And in reality Roffensis, article 1, against Luther, Almaynus, treatise 3, Moral, chapter 2, asserted that every sin from its nature is mortal, and is made venial only from the mercy of God not willing, that it should impede sanctifying grace. That this is the opinion of our Montepilosi, is clear from those things which he says in disputation 148, 2.2, number 3, ["venial," (he says), "differs from mortal by divine ordination, not from the nature of the thing"] and he takes care to deduce it from Scotus, but undeservedly, as I will now prove. Oviedo asserts in treatise 6, controversy 3, point 2, number 9, that this opinion has been condemned among the errors of Michael Baius, but Tanner shows in disputation 4, question 1, doubt 1, number 7, that it is Catholic. Therefore Vasquez in disputation 142, chapter 1, although he calls it improbable, nevertheless says it is worthy of no censure, but whatever may be about the censure, I judge the opinion false.

2 Let the First Conclusion be: Some sins are venial from their nature, and some mortal. This is according to the mind of Scotus in 4, distinction 21, question 1, number 12, where he says: "To the proof I say, that even if mortal and venial are of the same nature in the genus of nature or perhaps in moral malice." Behold how he posits from their nature some mortal, others venial, now according to the common concept in which they agree, now according to the special concept in which they differ. Read him in the reports 2, distinction 2, question 1. And for this assertion stands Lychetus in 2, distinction 21, question 1, § "also second," such that he asserts, this is supposed by Scotus: since he often repeats that some disorders of the law are serious from their nature, others from themselves light. It is proved first: There are some sins which with a precept standing induce the dissolution of friendship with God and eternal punishment; but others which from their nature do not dissolve friendship nor induce eternal punishment, therefore some sins are mortal from their nature, but others venial. The antecedent is proved: hatred of God and all philosophical evils which cannot not be prohibited either lightly offend God after prohibition, or only seriously? if the first, therefore all sins from their nature are venial; if the second, therefore all are mortal. Gerson responds: from the nature of sins one is more serious than another, and there is given an offense lightly transgressing the precept from itself; hence I infer, therefore there is given an offense from itself not dissolving friendship with God, therefore not all sins from their nature are mortal.

Secondly: Among men from its nature one offense is judged more serious than another: for who will say, that from its nature it is not more serious to offend Peter by killing him, than by stealing one real from him, therefore the same is found in

offenses done to God: For by the same probability by which above in question 12, number 41, I said, that not all sins are equal from their nature, now I say, some are mortal from their nature, but others venial. Furthermore in Matthew 21, sins are compared to a flea and a camel, and in Luke 23, to a splinter and a beam, therefore just as a flea and a splinter from their nature are something light, but a camel and a beam are something serious, mortal sins compared with a camel and a beam from their nature will be something serious, and venial compared with a flea and a splinter from their nature will be something light. Finally many sins are left to our judgment to be judged, whether they are mortal, or venial; but we judge from the natures of things, therefore, it is a sign, that some are venial from their nature and others mortal.

Gerson objected some arguments. The first of which is: that every sin from its nature is worthy, that on account of it the sinner be annihilated, therefore it is also worthy of eternal punishment; but sin worthy of eternal punishment is mortal, therefore every sin from itself is mortal. Scotus cited thus says: "I say that to venial sin either to be punished here, or in hell, nothing but temporal punishment will be given." Therefore the first antecedent could be denied, but let it pass with the first consequence. I distinguish the minor: Sin worthy of eternal punishment is mortal, if from itself it dissolves friendship with God, I concede; if it does not dissolve, I deny; and since venial sin does not dissolve, granting it to be worthy of eternal punishment, it would still not be mortal. Note the instance. Let us grant, that I sin only venially after baptism, and that God effectively decrees, that no suffrage be applied to me, nor to give supernatural help, that I be contrite, therefore I cannot be damned nor can I be Blessed, the former because I have taken on baptismal grace, the latter, because venial sin is not remitted; Behold venial sin perhaps to be punished by eternal punishment, without dissolving friendship with God.

The second argument is: that for the sake of no good should venial sin be committed: since it causes greater detriment, than death, therefore from its nature it is mortal. I respond: by denying the consequence: for although with respect to the harm caused in the body the harm of venial sin is more serious: because the least harm of the soul is greater than the greater harm of the body, nevertheless with respect to the harm of the soul it is light harm: because all harm not dissolving friendship with God is light. You will say first: Jerome in epistle 14, chapter 1, says: "Indeed I do not know, whether we can say any sin is light." Augustine in tome 4, book on true and false penance, chapter 8, posits venials as only light from the mercy of God: Chrysostom in homily 4 to the people: "It is not lighter sin to steal two oboles, than a great quantity of gold." I respond: The Holy Fathers speak of venial sin not per se, but per accident; from the fact that negligence in avoiding such sins is added, thus Augustine said: from the mercy of God giving help for the remission of sin and for avoiding other venials, venial becomes light. Chrysostom speaks about him who, by neglecting the theft of two oboles, has at the same time the purpose of stealing a great quantity of gold.

You will say secondly: Sin and grace, only demeritoriously are opposed in the way of Scotus, therefore not from their nature does mortal differ from venial, through this

that it is to expel grace and dissolve friendship with God. I respond: that also two bodies are expelled and opposed from their nature, and yet by absolute power God can conserve them simultaneously in the same place, therefore it is not removed that from their physical nature they are opposed, by the fact that by absolute power God permits them to be compatible simultaneously; thus similarly, that God makes sin and grace simultaneously compatible by absolute power, will not remove, that from its nature it is destructive of grace, etc.

On the Difference of Mortal from Venial Sin according to the Mind of Scotus.

3 Scotus in 2, distinction 21, question 1, number 3 has these words: "Mortal sin is a disorder opposed to the order, without which the end cannot be attained in any way, which order indeed has a precept against which the disorder is done, and therefore every disorder falling under a precept turns away from the end necessarily; but there is another order which can be with respect to the end to be followed, which is not necessary but useful, which is not of precept, but rather of counsel, and the opposed disorder to this is venial sin." And in the reports in the same place, § "it is said," he asserts, "venial and mortal are distinguished in this that it is to be against precepts and not to be against precepts." Because of this perhaps Curiel in question 88, article 1, doubt 3, § 2, Oviedo in treatise 6, controversy 3, point 2, number 12, allege Scotus for the opinion asserting, that venial is not against a precept, but against counsel, for which stand Gabriel and Balolius. But truly all Scotists and who understand the mind of Scotus excuse him from this opinion, and almost uniformly explain the alleged texts. Cavellus in a scholium to the text in distinction 21, says that "counsel" should be understood in a broad way for a precept against which according to Scotus is venial. The same is proposed by Rada in tome 1, controversy 17, article 1, verse "Second observe," Faber in additions to 4 of Scotus, disputation 5, chapter 4, from number 67, Montepilosi in disputation 148, article 9, from number 2. And for this stands Lorca in disputation 58, member 2, § "the first is." And Scotus indicated sufficiently clearly in 2, distinction 41, number 4, "For man is not held either by a holding of necessity, against which mortal sin is done, nor by a lesser holding against which venial sin is done," therefore according to Scotus equally, although not in the same way venial and mortal militates against a precept. Through which he should be explained in the cited place of distinction 21.

Therefore conformably to our principles above in question 16, from number 10, where according to Scotus there alleged we posited, that all sin is against the law of God. Now I prove, that venial is rigorously against a precept, by supposing that whenever Scotus says, that venial is against counsel, it is understood not of counsel taken as it signifies the useful, without obligation to posit it being induced: for by law I am obliged to posit rectitude in an act, which is venial; but Scotus is understood about counsel as it signifies the useful, for this that the right to eternal life not be impeded: as it is most useful, not to sin venially, that such a right be better preserved. Thus "Counsel" according to Scotus is not accepted as it signifies the absence of obligation of avoiding a work, which is venial: for truly I am obliged by law to avoid it. Therefore counsel is accepted, as it signifies more expeditious

convenience, that the right to glory be preserved. This is the genuine mind of Scotus according to his saying in 4, distinction 17, number 25, where asserting, that there is not a precept of confessing venial sins, he says: "Nor is anyone held to any contrition for venials, indeed one dying in the actual will or act of venial, will be saved, nevertheless he will be punished. But it does not seem that anyone is held to the second part of penance, which is confession, of what he is not held to have contrition or attrition." I explain the text and the posited doctrine: Mortal sin because it takes away grace from the soul, takes away the right to glory, thus there is a precept of confessing or being contrite for it: for with mortal sin standing in the soul, no contrition nor confession can be valid; but venial sin does not take away the right to glory, because it is together with grace, and thus valid confession and contrition can be, even though actually sinning venially, nevertheless it is most useful and the best counsel, so that grace, which gives right to glory, be preserved, not to sin venially, for as we will say below, venial disposes to mortal. And therefore most elegantly and with all propriety Scotus asserted that venial is against counsel. Which I further confirm from the text of distinction 21, in 2, cited, number 3, at the end, where he asserts: "Adam could not only exercise a disordered act against a precept but also against a counsel only, as by not doing what is maximally expedient, or by doing some retardative things, although he would not act directly against a precept necessary for salvation." Behold how Scotus posits venial, as only not against a precept, whose observance is necessary for attaining salvation: for although someone would observe no precept obliging under venial, he would be saved, while there is no mortal stain in him.

4 From this it is gathered, that Lorca above, Curiel, and others have been deceived in asserting, that Scotus uses the word "counsel" improperly ["from this conclusion," (says Curiel), "it follows that Scotus is deceived,"] and at the end: ["from this it is clear, that Scotus has been deceived"]. How does a blind man judge of colors, if Curiel was blind in understanding the mind of Scotus, in what way could he judge him deceived? Finally there is no argument, by which Scotus is impugned by the Thomists, as Montepilosi notes above in number 6, where he adduces that argument taken from Paul in 1 Corinthians 2: "Concerning virgins I do not have a precept of the Lord, but I give counsel." Likewise, "If you have taken a wife, you have not sinned, and if a virgin has married, she has not sinned." For the Thomists say, it follows from the opinion of Scotus, that everyone not observing virginity sins venially. Who says such a thing? For far otherwise, as has been explained, Scotus asserts, that venial is against counsel. But now let us prove briefly, that venial is against a precept: In Matthew 20, an account is to be demanded for an idle word; but an idle word is venial, and to demand an account, supposes an obliging precept, therefore, etc. Likewise the law prohibiting theft, prohibits all theft, and the law forbidding lying, all lying; but the theft of one obole is theft: for it is the retention of another's thing with the Lord unwilling, and in a jocular lie one goes against the mind, therefore venials are against the law. Again venial is against right reason, therefore it is against the natural law; but about this we have said enough above in question 16, from number 10.

With these things about the mind of Scotus necessarily put forth beforehand for the decision of the question. Hear what St. Thomas says in question 88, article 1, in the body. He teaches that mortal and venial differ, because this does not take away the order to the ultimate end, but indeed that one does. But what it is to take away such an order, the Thomists do not explain in the same way: for some say, it is that mortal expels grace, but not venial, others that mortal converts to the creature as to the ultimate end, but not venial. Whatever may be about this, Oviedo above in number 15, from this difference assigns a second, which is that mortal is against a precept obliging to preserving friendship with God, but venial leaves friendship intact. Thirdly they differ, because mortal is worthy of eternal punishment, but venial of temporal. Fourthly, because venial does not constitute man unworthy of supernatural helps, but mortal does. Fifthly, because mortal makes it so that works done with it are dead, that is, are not meritorious of condignity of eternal life, and thus glory does not correspond to works however supernatural done in mortal sin; but venial does not make it so that works are not condign: thus supernatural works done with venials in the just, are merits condign of glory. Sixthly, because venial lightly harms the divine right, but mortal seriously.

But if we penetrate the matter fundamentally, these differences are not primarily distinctive of one sin from the other, and from another as from a root these spring forth; but this seems to be none other, than that mortal from its nature has to constitute the sinner as a sinner without any right to spiritual life: just as from its nature heat has to constitute the subject hot: thus just as we explain the nature of heat as distinct from coldness, through this that it is to be the nature of a quality, to which it is due to constitute the subject hot, so we explain mortal sin through this that it is to be deformity, to which it is due to constitute the sinner as a sinner without right to life; but not venial. I note carefully the reduplication: for since grace can be compatible with mortal by Divine power, in the way of Scotus, in that event although the sinner specifically has right to glory, nevertheless reduplicatively as it constitutes a sinner, it does not conserve right to life.

5 But what it is, to be deformity, to which such an absence of right is due is understood from the words of Scotus above in distinction 21, in 2, number 3, "Mortal sin is not distinguished from venial, in this that one is with respect to the end, as mortal, and the other of those things which are to the end, as venial (which was the opinion of St. Thomas with his followers, in the cited question 88); but in this they are distinguished, because mortal sin is a disorder opposed to the order, without which the end cannot be attained in any way, which order indeed has a precept, against which the disorder is done," therefore according to Scotus that disorder which takes away the right to glory as to an end, will be the difference, by which venial is distinguished from mortal, but this difference is known through this that it is, for mortal to be against the precept of conserving the right to glory, but venial against the counsel of conserving such a right, therefore the distinction of both sins is well understood, through this that it is, for mortal to be against a precept opposed to the end, not indeed as to possession in act, but as to the right of possessing, but venial to be against counsel, that is, for better having the right to the end. The minor is proved, mortal turns away affectively and effectively from the ultimate end, but

venial only affectively, not truly effectively, according to the doctrine of Scotus in 4, distinction 17, question 1, number 25, where he says, that one dying in actual venial sin, would be saved, etc., therefore venial differs from mortal through this that it is to conserve the right as to the effect of glory, or not to conserve such a right.

You will say: Original sin takes away such a right just like mortal, therefore it is not the principal difference of both sins. I respond: I do not assert, that the assigned difference is constitutive formally of both sins, but that it is the difference of mortal from venial: just as man differs from a stone through animality formally, but from a horse through rationality; so mortal differs from venial through the assigned difference, although in it mortal and original agree.

6 But if you inquire: Whether sin as such is said simply and univocally of mortal and venial? I respond: that Scotus insinuated the resolution of this question in 4, distinction 21, question 1, number 12, "Even if mortal and venial," (he says), "are of the same nature in the genus of nature or perhaps in moral malice, as the genus of virtue is distinguished against the gratuitous and sin"; And immediately: "but nevertheless these are not of the same genus or nature in the nature of divine offense, and therefore neither are they uniformly remitted": In which words first Scotus supposes, that in the genus of nature, that is, in the reason of free, vital, and act of a wayfarer whether it is positive, or interpretative, mortal and venial are of the same nature, and thus univocally agree, but speaking about moral malice (he says), that they univocally agree, not in moral malice taken in just any way, "But as the genus of virtue is distinguished against the gratuitous and sin," through "gratuitous" he understands any supernatural gift, through "genus of virtue" he understands the holding and ordination of the subject to the supernatural end: for in this way the genus of virtue is not opposed to venial sin, which leaves intact this kind of ordination, but mortal destroys it; and since this is founded in the nature of offense, Scotus concludes, that according to this formality mortal and venial are not of the same nature in the nature of sin. Again Scotus considers moral malice in the alleged text philosophically and Theologically, and since the nature of offense is imbibed as a property in Theological malice itself, our authors commonly say, that Scotus in the said text wanted, that venial and mortal univocally agree in philosophical malice, but not in Theological. What the nature of offense is in sin? We have said enough above in question 16, from number 16. From which doctrine I infer, that our authors have not well thought, that Scotus wanted mortal and venial to be univocated only in the nature of evil philosophically; but I believe, that Scotus also stands in this, that they are univocated Theologically, not indeed as to the nature of offense collated with the offended God: And therefore Scotus notes carefully in the text "divine offense": for in this sense they are not of the same nature: since the nature of divine offense in mortal takes away the right to gratuitous supernatural gifts, although in the nature of offense, which is taken from the harm to virtue Scotus gives univocation in Theological malice between venial and mortal, therefore also carefully is posited in the text "as the genus of virtue is distinguished against the gratuitous." From which the Resolution of the question is clear, namely that venial and mortal univocally agree in the nature of sin, insofar as sin signifies the absence of due rectitude: It is clear from what has been said: for both are against a precept;

nevertheless they do not agree univocally, but differ in genus if the nature of offense is taken as it expresses the nature of stain connoting order to the supernatural end proximately tending to it: for according to this predicate the diverse connotata which are respected by mortal and venial make them primarily diverse: since mortal connotes the absence of rectitude proximately; which is the absence of right to glory or supernatural gifts; but venial leaves such ordination intact.

On Other Reasons for Distinguishing Mortal from Venial?

From many other reasons the distinction of mortal sin from venial can be taken, of which the principal, and which are usually disputed, we will touch on, namely from the object, from the will of the legislator, etc.

Around the first there is a difficulty. Which sins are mortal from the object and which venial? For whose decision it is to be Noted: In some precepts, where a penalty is established for transgressors, from the posterior is deduced from the gravity or lightness of the penalty, when from the object and from the matter itself by reason of the precept gravity or lightness will be induced: for if the penalty is serious, truly the sin will be mortal: for example a major excommunication is imposed on a religious for the transgression of the precept of not entering another's cell, truly excommunication makes any entrance a serious fault. It is indeed true, that a Prelate who imposes a serious penalty, without having a serious end, sins most seriously mortally, by the fact that he abuses his jurisdiction; but when a minor excommunication is imposed against those speaking with publicly excommunicated people, speaking with such will not be except venial: because a serious penalty is never considered to be imposed because of a light fault. By this reason when God said to Adam in Genesis 2, "On whatever day you will eat, you will die by death," since death is the most serious penalty, any eating was a mortal sin. This doctrine runs especially in precepts, where the penalty is imposed by God, or by the Pontiff intending the universal good of the Church.

But in precepts where a special penalty is not imposed, it is not so easily assigned, when it is serious from the object when a light offense, Nevertheless I think with Palao in tome 1, treatise 2, disputation 3, part 7, when from the penalty we can gather, when the harming of virtue is serious or light, then recourse should be had to the sense of the Church and of the Doctors, whence that sin will be considered venial from the object, which according to the probable sense of the Doctors is judged such. This doctrine does not please Oviedo where above in point 4, number 49, for he says that from the natures of things themselves the reason is rendered, and thus recourse should not be had to the sense of the Doctors; but I ask him, why does he not assign such a reason? for what he posits, namely that it is to be known from dissonance to reason, is a begging of the question, and is difficultly explained through the more difficult. Whence therefore is this dissonance known? if he says that it is from the sense of the Doctors he falls into that which he impugns; if truly he says that it is from the end intended by the legislator. I ask the same: how is it known, when that end is seriously intended, therefore recourse must always be had to the sense of the Doctors, who, relying on some probable reason, make an opinion.

Therefore the Resolution of the difficulty will be, from which many moral cases are to be dissolved: that those things are mortal from the object which are gravely opposed to the end of the precept, but those venial, which are only lightly opposed.

By this reason since hatred of God, infidelity, blasphemy, irreverence toward the Sacraments (and many other things to be seen in Diana in part 5, treatise 5, where at length he treats of the smallness of matter, in which precepts it is given?) is gravely opposed to the end of the precept, they will never be venial from the smallness of matter or from the object; but others are venial from the object: for an idle word, a jocular lie never but lightly are opposed to the end of the precept. But there are other precepts whose end depends on the quantity of the thing or on the harm inflicted; And these are to be judged according to quantity, whether from the object they are serious or light: for if the quantity is judged serious, it will be mortal, but if small, venial, but because of that which we have said about penalty, that always, what is serious, is judged a mortal sin, that because of which it is imposed, it is appropriate for calming scruples, to decide the second difficulty.

8 Whether from the will of the legislator venial can become mortal? Where there is no doubt about divine precepts: for since God cannot err, He never commands a light matter under a serious burden, nor a serious matter under a light one. Therefore it proceeds about human precepts: concerning which on one side stands the common opinion of the Doctors, about which Suarez in book 3, on laws, chapter 25, number 2, Sanchez in book 1, on the decalogue, chapter 4, number 3, Vasquez in 1.2, disputation 158, chapter 4, number 34, who assert, that in no way can a human legislator impose the obligation of mortal sin in light matter, however much he wills and intends to oblige to mortal. But suppose that a Prelate commands under holy obedience and the penalty of excommunication not to steal half a real, does this penalty make the sin mortal or not? If the first, therefore the common opinion falls; If the second, therefore the doctrine posited above is false: namely from serious or light penalty, it is to be taken, when the transgression, to which the penalty is adjoined, is mortal or venial. But by assenting to the common opinion, it must be said, that from the will of the human legislator in no way does it depend, that the matter of venial sin is mortal or vice versa. Therefore whatever penalty he imposes in light matter, which at least indirectly in the way to be explained immediately, is not serious, will not oblige to mortal. It is proved, because the precept does not distinguish mortal from venial, therefore it does not depend on a precept, that it is mortal or venial, but that some thing is sin depends on the reason of the will of the legislator only insofar as the thing depends on the precept, therefore directly it does not depend on the will of the legislator that this is mortal or venial. And it is confirmed: for a vow or promissory oath made about a serious matter obliges under mortal; but about a light matter under venial: e.g., I vow to give one real for alms and I do not give, I sin only venially: Therefore the argument holds from parity: for obligation is as if an effect followed in the same way to law, vow, or oath.

The truth of this doctrine will easily be known, if we resolve the reason of doubting: Therefore I acknowledge that the legislator cannot oblige by reason of the work in

light matter under mortal, nevertheless he can from the end of the one operating. Where note, that matter which from itself is light considered from the end of the work, as it is conducive to the end of the one operating, can become serious: as well with Sanchez, Oviedo above in number 52, e.g., to tell a jocular lie from itself is light matter; and yet if I probably judge from my jocular lie, that there will follow either infamy or death to someone, it now becomes serious matter. Again the theft of half a real is from itself light matter, and yet if I probably know, that from this theft there will follow the death of the Lord, either because he is most avaricious, or because he will be constituted in extreme necessity, such theft from the circumstance quid in the way explained above in question 12, number 52, becomes serious matter. And in the opinion, which is probably held, that in venereal things smallness of matter is given, if by touching the hand of Mary I experience that I consent to pollution or a venereal act, now the touch which from itself is light matter, becomes grave, not indeed from the work, but from the one operating. Therefore it stands well that a human legislator cannot by his intention command light matter under the burden of mortal sin; and yet if he commands under the burden of excommunication or holy obedience light matter, then it is not to be judged light but grave; for attending to the end of the one commanding that becomes grave, which from the end of the thing commanded is judged light; Thus the eating of the forbidden tree in Genesis 2, although directly from the end of the precept it would be light matter, from the end of the one commanding it was grave. But in doubt whether the Prelate or legislator has sufficient circumstances, that matter from itself light, becomes grave, Suarez in the cited chapter 25, number 3, and Palaus in number 3, say ["it is to be believed that for some grave end it has been rendered grave"]; but note, for calming scruples, that if it is probably or certainly judged, that the legislator has no grave end, or in the practical case that the action does not harm the end of the one commanding, but leaves it intact, such an action is not mortal, which from the circumstance quid is always to be judged.

On the Reasons for which Venial can Pass into Mortal, and Vice Versa.

Our Montepilosi in disputation 148, article 7, from the fact that Scotus in 4, distinction 21, question 1, number 4, calls venial and mortal unproportionable in the nature of malice and offense, says, that Scotus absolutely denies, that venial according to itself can pass to mortal; and thus in number 2, he establishes this conclusion ["venial per se from its genus absolutely cannot become mortal."] But lest a matter of such moment be turned into a controversy about a name: It should be observed that in two ways can this kind of transition of venial into mortal be understood: first, that the sinful act taken for the material can pass from venial into mortal. Second that the same sinful act as formally morally evil can pass from being venially evil, into being mortally evil. And the first way of understanding is the doctrine to be premised for deciding the difficulty, in general about the transition of virtue into vice and vice versa, and about their simultaneity.

The Doctrine of the Transition of Virtue into Vice, and Their Simultaneity, is Premised

9 I suppose, that there is no controversy about virtues, which are habits, which have conformity with the dictate identified with themselves: for these not even divinely can be vices, just as the relation of a creature to God is inseparable even divinely from a creature: because it is repugnant to creatures even divinely the opposite of such a relation, namely independence from God. So because in some habits the opposite of conformity with the dictate of reason is repugnant, such habits cannot not be virtues, wherefore it is repugnant to them to be vices: such perhaps are the infused habits of faith, hope, and charity: to which at least to be vices is wholly repugnant: see what we have said about this above in question 17, number 5, at the end. From the contrary because to some vicious habits conformity is so repugnant, that they have with themselves as if identified the absence of conformity, they can in no way not be vices: for example the habit of hatred of God, of blaspheming, of practicing idolatry, and those similar to these. But that it may be known, which are habits of this kind, recall what we have said in question 16, from number 5, about acts capable and incapable of rectitude. Therefore there is difficulty about habits, which depend on circumstances, that they are vices or virtues: for example from repeated fasting there is immediately generated a habit of abstinence, which is a moral virtue, I add a circumstance, namely that I fast for the sake of vain glory. We inquire: whether this abstinence both when it is virtue, and when it is vice is the same habit, so that the material nature unchanged it can pass from vice into virtue?

10 Let the second conclusion be: The same habit numerically can successively be vice and virtue. Therefore the habit of abstinence in a hypocrite and in one fasting rightly do not differ. Thus Scotus in 1, distinction 17, question 2, number 4. All his disciples follow against the Thomists and almost all Jesuits. It is proved, from diverse facility the distinction of an acquired habit in power is known; but the facility which a just man has for fasting, a hypocrite has, therefore the same habit of abstinence now in the just Peter is virtue, and afterward in the same Peter a hypocrite it is vice. The minor is proved; facility absolutely speaking in a habit is taken through order to the external object, namely abstinence to the object, but this is the same in the just man and in the hypocrite, therefore the habit will be the same. And it is confirmed, if for some reason those habits would differ as they are habits of abstinence, it would be maximally because of the circumstance of the end: for the hypocrite does not fast except for the sake of vain glory, but the just man for the sake of God; but the circumstance of the opposite end does not vary the substance of the habit, with the same motive or intrinsic object remaining, therefore the habit is the same. The minor is clear in a habit having many ends not opposed: for example let someone fast today and tomorrow to appease God for sins, afterwards that God may give health to a friend, who will say, that these ends vary the substance of the habit of abstinence? But about opposed ends I press the argument: Someone repeats many acts of going to Church, that he may hear mass on account of God greatly loved, and afterward he repeats acts not on account of God but on account of vain glory, that habit of hearing mass is one, and yet the ends are opposed, therefore, etc. And it is Further confirmed, because the habit generated from hearing mass on ferial days

and on feast days is the same; and the habit of abstinence generated from the repetition of fastings on days not commanded, and likewise on commanded days is the same; but in these cases the ends are diverse, therefore the habit is the same, while the motive is the same, although the ends are opposed: the reason for which is, because while the end does not change the species of the act (for then it is the formal object) it bears itself as the material object: this conclusion all should acknowledge, who say, that the same act numerically can become from good evil: for acts from the same formal object do not differ, even if the ends are opposed, therefore neither do habits.

11 Against our conclusion I find three principal Doctors conspiring. The first is Cajetan in 1.2, question 55, article 1, where he says, that Scotus asserting, that habit is a subject for virtue and vice, and consequently that the same habit numerically can pass successively from vice into virtue, is opposed both to himself, and to truth. To himself because in 1, distinction 17, question 3, last article (where Scotus utters not a word about what Cajetan intends: as is clear in the letter itself of the Doctor, number 30) Cajetan says that Scotus says, that habit is the proximate genus of virtue, therefore it will not be able to remain the same numerically and be vice. To the truth, Cajetan says, the opinion of Scotus is opposed (which he calls a fantasy), for it would follow, that virtue inclines to vice and vice to virtue, if the same habit numerically could be virtue and be. Because of veneration of the purple and in so great a Doctor I will propose only two contradictions in his own principles about this same thing. Meanwhile let it suffice against the immodesty, with which he speaks against Scotus that from Proverbs 10, "He who utters contumely, is a fool." I argue thus: according to Cajetan in 1.2, question 19, article 1, and question 20, article 6, the same act numerically, with its substance unchanged, passes successively from good into evil, from virtuous to vicious, but according to Cajetan in the cited question 55 and elsewhere often about habits one should philosophize in goodness and malice as about acts, therefore rather Cajetan is opposed to himself. The second contradiction is: that with the common opinion of the Thomists he holds in many places, that Logic and any other science is a simple quality and consequently only a single habit, because it has the same formal object, even if the ends are diverse and opposed in an evident and probable syllogism, therefore with Cajetan acknowledging, in the abstinence of the just man and hypocrite, e.g., the same formal object, although the ends are opposed, he is bound to acknowledge that it is one habit. To the two things which he opposes against Scotus, I Respond, by granting, that Scotus calls habit the proximate genus of virtue, but it should be understood not as a Logical or Metaphysical genus, but Physical: as commonly subjects are called the physical genera of accidents. To that which he says virtue could incline to vice, I will say soon.

12 The second who impugns the conclusion is Montesinos in tome 1, disputation 36, question 1, number 7, thus: It implies that the same habit is erroneous and scientific, therefore also that it is virtue and vice. Let the antecedent pass, I deny the parity: for no circumstance of the habit of error can make it science; but the habit of virtue because of a circumstance, which happens to virtue can become vice, therefore. He presses: If the habit of virtue can incline to vice, therefore. Although the consequence is conceded, what then? For that the habit of virtue inclines to vice, I

thus show: Let us grant, that a Jewish Levite before the death of Christ the Lord has a very intense habit of offering to God sacrifices of the old law from repeated acts; that habit before the death of Christ was the virtue of religion, and yet after the death of Christ it inclines such a Jew to offering those sacrifices, which now after the death of Christ are vicious acts, therefore the habit of virtue in this case inclines to a vicious act. But I respond to the argument by distinguishing the consequent, therefore the habit of virtue can incline to vice considered in order to the formal object, which is the same in virtue and vice, I concede the consequence, in order to circumstance, I deny the consequence. Montesinos insists: habit according to Aristotle in 2 Ethics, chapter 1, inclines to acts similar to those from which it was generated, but vice and virtue are dissimilar, therefore, etc. I respond: they are dissimilar from an advening circumstance, I concede, from the formal object, I deny. But still against this: A hypocrite feels difficulty in fasting for the sake of an honest end, therefore it is a sign, that the habit of abstinence is distinct in him and in one fasting rightly. I respond by denying the consequence: for the difficulty is not about the substance of the act, but about the circumstance of the end, which if it does not put on the nature of the formal object, does not vary the substance of the act or habit: for as well, although not consequently, the same Montesinos in disputation 30, question 2, the entity or substance of the act or habit, with the same motive or formal object remaining, is in no way varied.

Venial sin can only become mortal through circumstances.

16 The fourth conclusion is that venial sin always transitions to mortal sin due to some circumstance. This is the common opinion, which our Faber thoroughly discusses in his additions to Scotus's 4th disputation, chapter 1, from which Scotus is not far removed: since it is one thing for venial sin to transition to mortal sin, and another for venial and mortal to be disproportionate to each other. For in the moral genus, from two things disproportionate to each other, one by reason of circumstance can transition into another vice. The reason for the conclusion is clear: because venial sin can never by itself, except through circumstances, be a grave offense. But it is not easily explained how circumstance can make a grave offense light and a light offense grave. This can be explained by parity from what has been said: it is easier for mortal sin to become venial or vice versa than for virtue to become vice; but a good act from its object transitions from virtue to vice merely by changing the circumstance of time, for example. Therefore, there will be no contradiction for venial sin to transition to mortal or vice versa due to circumstance.

But before we assign the circumstances by which venial sin transitions to mortal, we must establish a general doctrine with St. Thomas in 1.2, q.78, art.6, where he says venial sin comes from mortal whenever either through perfect deliberation an act transitions from being objectively a mortal sin to being free only through imperfect deliberation; or whenever from some circumstance in which grave matter is not present, malice is diminished and the substance becomes light. In these two ways, mortal becomes venial. The contrary will happen when venial becomes mortal.

17 Having supposed these things, the first doubt is: how does venial sin transition to mortal from the circumstance of purpose or from the circumstance of contempt?

For this I presuppose that it is one thing for venial sin to transition to mortal, and another for venial sin to constitute mortal sin. The latter is impossible since venial sin, formally as venial, is always a light offense; the former often happens. For it happens that someone lies jokingly with the purpose of fornication, then the joking lie is a circumstance of mortal sin.

For this, take the doctrine of Palao, who with Bonacina disp.5 on Penance n.5 sect.2 point 2 difficulty 3 n.27 and Sanchez book 1 on the Decalogue ch.5 n.7, thus says in volume 1 tract.2 disp.2 point 9 §1: "If someone lies or commits another venial sin out of desire to fornicate, because he has the desire and will to sin mortally, he sins mortally; but because such desire is extrinsic and does not change the venial sin that is taken as a means, therefore having declared the desire in confession, it is not necessary to declare the venial sin."

It is a sign, therefore, that the venial sin does not transition to mortal by reason of purpose, but is only the circumstance of a means to that purpose. Likewise, if someone were contrite about the desire to fornicate, but not about the lie, and died thus, he would truly be saved; otherwise he would not make a valid confession. Therefore, it is a sign that venial sin always remains venial and is not a new mortal sin, but at most is an aggravating circumstance. Hence Palao concludes there in n.4 that it is not necessary to confess the circumstance of venial sin taken as a means to mortal sin as an end.

Let the response to the first part of the question be: whether venial sin is a means to mortal sin or an end (for example, if someone lies jokingly in order to steal), that lie is never a new mortal sin. This is clear in the case of a small theft: for he is not truly bound to restitution, therefore it is a sign that the circumstance of theft, formally as theft (for example, if I steal half a royal to fornicate), was not a mortal sin, that is, did not injure the virtue of justice with grave offense, and thus always remained within the limits of small matter, which formally as theft is venial. Nor does it obstruct Augustine, quoted in chapter "unum orarium" dist. 25, who asserts: "No sin is so venial that it does not become criminal when it pleases"; for the Holy Doctor speaks, as Curiel notes q.88 art.4 q.2, of one who sins venially out of contempt, as is clear from Augustine's context.

18 But immediately a reason against this arises. And it is the solution to the latter part of the question: By reason of directly willed contempt, venial sin transitions to mortal. For example, to lie jokingly out of contempt for the law is mortal. Therefore, similarly by reason of purpose it transitions to mortal.

To prove the antecedent, it should be noted that contempt is defined with Altissiodorensis book 2 of the summa tract.20 ch.2 q.1 as "an estimation less just." This kind of estimation is either negative or positive. Thus negative contempt will be mere lack of appreciation for the law, and since everyone who sins, formally in that they sin, lacks appreciation for the law, everyone who sins contemns the law negatively. In this way St. Thomas said in 1.2 q.186 art.9 to the third: "to contemn is to be unwilling to be subject to the law." This negative contempt, since it is a general

circumstance to all sin, does not extract to a new malice, as we said above in question 16 from n.18 concerning transcendent circumstances for every sin.

The other is positive contempt, which is unjust appreciation of the law, which in our common speech is called: "Known contempt with the intention to despise." And the difficulty proceeds concerning this contempt. No one doubts that this kind of positive or formal contempt is a mortal sin. For this, Suarez book 3 on laws ch.28 n.2 adduces testimonies of Bernard and both Doctors, Seraphic and Angelic; but not all explain in what it formally consists, so that it is a mortal sin.

Some say that every sin arising from full deliberation and certain knowledge, without passion and impelling cause to sin, is a sin from contempt; others have asserted that to sin from contempt is to sin from habit. Neither explanation is pleasing; not the first: because to sin from malice does not have more in the nature of contempt than to sin from ignorance, if there is not given formal or virtual or interpretative volition of transgressing the law, to hold it or the Lawgiver or both in little esteem; nor is the second pleasing: for although it is true that habit disposes to contempt, according to Proverbs 18: "When the impious comes to the depth, he will contemn sin." And therefore jurists, as Navarrus notes in chapter "tres sunt" on Penance q.1, say that habit induces presumption of contempt, although formally habit is not contempt.

Formal contempt, therefore, is a sin either consummated in the intellect or in the will, by which due honor is taken from a superior by despising due dignity against the special virtue of justice, which it injures and to which contempt is formally opposed.

From which I infer first: every unworthy estimation held about God, even concerning His lightest precept or counsel, will be a mortal sin of contempt, concerning which Bonacina disp.2 on sins q.3 point 5 n.10, for any contempt, even in a matter of small moment against God, is blasphemy or irreverence done to God, which if done with formal or virtual will of despising God, is most grave matter. Thus Sanchez says in selected disp.7 n.12 that it is a most grave mortal sin not to correspond to Divine exhortations and callings out of a spirit of despising God.

Secondly, I infer that to despise parents or Superiors in precepts, where they have the right to command, is a mortal sin of contempt, even if the matter is light. And in this case, by reason of contempt, a light transgression transitions to mortal from that circumstance of the one acting, changing light matter into grave. And this is the disparity of the reason for doubting: for the precise formality of the end, as it is the end of the work, does not extract light matter from smallness and lightness, constituting it in grave weight, as happens in contempt.

In this way Sanchez notes in the selected disp.35 n.6 and elsewhere: One can not observe positive precepts to avoid death, unless contempt should arise from threats of death. I conclude therefore with Palao, above §2 n.5 at the end: "if a superior is contemned not insofar as he is superior, but insofar as he is of low rank, unlearned, imprudent, and from this kind of contempt you do not wish to obey him in a light

matter, it will not be a mortal sin, because then his power is not formally contemned; for his person is contemned because of the defects he has. Therefore this kind of contempt can be venial, just like murmuring and detraction." Similarly, he says, if out of indignation or depraved affection someone does not wish to obey a superior in a light matter commanded. However, in the counsels of human superiors, there is not given a special sin of contempt, because counsel is not with the intention of obligating, although it is true that from decency one is bound to venerate more the counsels of parents and masters.

19 There are also many other reasons for which venial sin can transition to mortal, namely by reason of scandal, danger of sinning, and erroneous conscience. And as for the first, what we said above in q.12 from n.32 should be recalled, according to which I judge it certain with Palao above §4 n.13 and Curiele q.88 art.4, that not only venial sin but indifferent work by reason of scandal transitions to mortal in the way explained there concerning scandal: namely when scandal actively induces the scandal of the little ones, or is done with the intention of scandalizing, or the fall of one's neighbor is probably known; otherwise, it will not be scandal except at most passive, which is called the scandal of Pharisees, which we are not bound to avoid, as we also said.

There is greater difficulty in explaining the second, namely when by reason of danger venial sin transitions to mortal. And because it is necessary to know what danger formally inducing sin is for many moral cases, note with Oviedo tr.6 contr.3 point 9 n.149: "Danger should be considered when such an action was frequently an occasion of falling into sin." Hence proximate danger is that which in some way influences, at least probably, the action, which by probable conjecture should be gathered from the experience of falling into similar actions to be an occasion of falling.

Because of this, Palao says above §3 n.2: "if it frequently induces you to sin; for if you have sinned once or twice, but resisted more often, it does not seem a proximate and moral occasion of sin." The danger assigned, therefore, is proximate; but another is remote, and it is that which of itself is an occasion of falling, and one who sees oneself proximately in it morally always falls, or at least feels oneself in the greatest danger. Oviedo hands down this doctrine in other terms: for he calls remote danger absolute danger, but proximate danger respective danger, to establish the opinion of the Jesuits that in venereal matter there is not given smallness of matter.

Thus he says, it is one thing for an action to be bad, another for it to be dangerous: for he says kisses and many touches of hands or even arms in some who have experienced that they have not consented are bad actions, but not dangers. But although this author well asserts that it is one thing to be in danger, another for an action to be bad (for not every danger consists in a bad action, since experience confirms that some feel dangers in indifferent actions, as Oviedo himself and Palao, cited, suppose), nevertheless while any decree of the Pontiff does not obstruct, the probability of the opinion asserting that even in venereal matter there is given smallness of matter cannot be denied, with the great Doctors Navarrus, Caietanus, and many others whom Villalobos cites and follows tom.2 tract.4 difficulty 9 n.8 and

Joannes Sanchez in the selected disp.11 n.22, where he says: "To press, pinch the hand, arm, or foot of a woman, to twist fingers, and similar things are venial sins within the genus of luxury, provided a mortal end or danger of pollution is absent." Thomas Sanchez has these words in book 9 on matrimony disp.46 n.16, 27, and 40, where he most expressly says that smallness of matter is given in venereal matter, although later in the summa tom.2 book 5 ch.6 n.12 he retracts this; but perhaps he did not do this from the heart, but because Claudius Aquaviva, general of the Society, commanded by special decree, adduced by Diana 5.p.tract.5 resolution 5, that no one in the society should teach that in venereal matter smallness of matter is given.

This being noted, from what has been said I infer: when by reason of danger venial sin transitions to mortal, namely when by many experiences it is established that by committing venial sin, one falls into mortal. And the reason is taken from the words of Oviedo in the same place n.153: "No venial sin becomes mortal from the absolute danger of falling"; therefore there is only respective danger; but this danger, as is clear from Palao and what was said above, is known by experience. Therefore, by reason of danger, venial sin never transitions to mortal except when experience establishes that one falls into mortal sin from falling into venial.

You will say: A Catholic can go to infidels with fear of perverting himself in faith, to baptize their infants or to convert them to the faith, concerning which Sanchez in the selected disp.10 n.9. Therefore venial sin does not transition to mortal by reason of danger. The consequence is proved: in the same way that danger is a circumstance vitiating a good action, it vitiates venial sin, converting it to mortal; but in the cases posed, the danger of perverting in faith does not vitiate that going to infidels, which is a good action; therefore, neither will it vitiate venial sin by converting it to mortal.

I respond by denying the supposition of the antecedent: namely, that in that case that fear is danger, while loss in faith is not established by experience; for if it is established, he will be bound not to go to infidels, if otherwise another precept of greater moment does not urge. Note where I purposely said, "Unless another precept urges," for if this urges and the will is prepared not to consent in the danger, since the occasion is not voluntary, one can operate with that fear. For as we will say below with Sanchez and Palao, proximate danger is formally only free access to the occasion of sinning. Thus a father is bound to nourish the children of a concubine when they cannot seek food in another way, even if he fears he will fall by seeing the concubine, provided the intention of falling is absent.

Likewise, a son of the family is not bound to leave the house of his father, in which he sees an occasion of sinning; nor is a parish priest bound to abandon the office of curate having experienced voluntary pollution by hearing confessions; nor is a procurator or official bound to leave his office, although he experiences that he has fallen into some sin: for then it suffices to fortify himself with a firm purpose of no longer consenting. And the reason is that it is one thing to place oneself in danger or occasion, another for the occasion not to be voluntary, since it is not sought. And thus Palao says in the same place n.8: "It is licit for a grave and honest cause to expose yourself to the danger of sinning, or if you are already exposed, not to

abandon the danger." Thus it seems to be expressly handed down in chapter "consultationi" on the frigid, where it is permitted for spouses, whose marriage is void due to impotence, to live together as brothers to avoid infamy, even if they experience some fear because of kisses or touches.

20 But there remains here a very frequent doubt: Whether a penitent having a firm purpose of not sinning is to be absolved, even if he is in danger, for example, if he lives with a concubine? I respond that if he can leave the occasion voluntarily, he is not to be absolved; but if infamy would follow, he is to be absolved, because the end to be avoided, namely the infamy that would follow, is equivalent to experiences to the contrary. For since one who voluntarily wants the occasion gives reason to judge that he wants it, but not one who involuntarily suffers the occasion, therefore one holding a proximate occasion voluntarily is not to be absolved, but one suffering it involuntarily is.

And in these cases, this means can be congruently taken to know whether the danger is voluntary or involuntary. Advise that he never be alone with her alone; if you understand that he does not correct himself in this, deny absolution, for you prudently judge that one not applying the means when he can wants the danger itself. For although the end, considering another means, is involuntary, considering the means that is in the will of the one placing it, it is voluntary.

What is a proximate occasion or danger, Sanchez treats widely in the selected disp.¹⁰ from n.6. I respond in the words of Palao above n.2: "Nor is it required for a proximate occasion and proximate danger to have a concubine at home, if you have her elsewhere for your will, and access to her is free to you, as if she lived with you." Behold a proximate occasion morally, not physically, which suffices. Indeed, it usually conduces more to danger, as is clear in a married man who would treat dishonestly with a servant girl, for which he would not have occasions as frequently due to the presence of his wife, children, and servants, as one who would have her in another house as his own, where he would fear neither the presence of servants nor of another. Behold a greater danger in a morally proximate occasion than in a physically proximate one.

21 Concerning the last proposition in the title of the question: Whether venial sin becomes mortal and vice versa due to erroneous conscience? I respond with the words of our Faber in his additions to Scotus's 4th disputation 6, n.32: "Sin is such as it is apprehended and judged by conscience; if therefore it judges it mortal, and does it, it is mortal; if it judges it venial, it is venial; if it also judges it to be grave, but not determinately, it is always mortal, because it exposes itself to the danger of sinning mortally." Therefore, mortal sin transitions to venial from erroneous conscience when matter that is grave in itself is erroneously judged light, and after making due diligence, it is always judged as light matter. Conversely, venial becomes mortal from erroneous conscience when one judges light matter to be grave, and executes it as grave, and after making due diligence, always judges it grave.

22 You ask lastly: Whether the purpose of committing venial sin, which purpose is venial, becomes mortal, when I propose to commit all venial sins that might present

themselves? Thomas Sanchez book 1 in the summa chapter 5 number 4 and Bonacina disp.2 on sins q.3 point 5 num.17 have opined too rigidly about this, namely that the purpose of committing all venial sins that occur would be mortal. However, I judge the opposite to be truer, namely that it would only be venial, thus Granados, Palao, and others whom Oviedo above in point 6 num.81 cites and follows.

It is proved: The purpose of sinning has malice formally taken from the sin itself, to which it tends as to its specifying object; but the purpose of committing all venial sins does not regard lethal malice, therefore it will not be a lethal fault. I will prove the minor below, where I will show whether the malice of all venial sins can make one mortal sin. Again, if the purpose of committing all venial sins were mortal, it would be because, since venial sins dispose to mortal, such a purpose would be a danger to mortal sin; but if this purpose were a danger inducing mortal sin, there would be no purpose of committing venial sin that would not induce mortal sin (which no one will admit), since every venial sin is a disposition to mortal sin. Therefore, since venial sin does not dispose to mortal sin as the ultimate and proximate disposition (as contrition is the ultimate disposition of sanctifying grace), but disposes very remotely as removing what prohibits, not indeed sufficient means to avoid mortal sin (for God, in view of venial sin, does not take away sufficient helps), therefore the purpose of committing all venial sins will not be mortal. This argument resolves the reasoning of Bonacina and Sanchez founded on the fact that one who would propose to commit all venial sins would place himself in danger of falling mortally. To which it must be said that it is not to expose oneself proximately, but only remotely, according to what was said above in n.19.

On the reasons for which there is transition from many venial sins to mortal sin.

The common and received opinion of Doctors is with Scotus 4 dist. 21 q. 1 n.4, where he says: Infinite venial sins, if there were such, would not equal one mortal sin, concerning which see there Hichaeus, Pulosus d. 148.2.4, Felix c.16 difficulty 3. And with St. Thomas 1.2 q.88 a.5, concerning which see there Lorca disp. 60 and Curiel §.3, namely that all venial sins collectively taken do not make one mortal sin. The a priori reason is that all venial sins, even collectively taken, are not opposed to sanctifying grace, and stand naturally with it; but even the smallest mortal sin expels grace, therefore all venial sins cannot constitute one mortal sin. Again, infinite punishment in duration is not due to venial sin, as Scotus widely discusses in the cited question n.6. And thus if a man were to die with all past, future, and possible venial sins, he would still be saved after satisfaction in purgatory; but if he were to die with even the smallest mortal sin, he would be damned with eternal punishment, therefore all venial sins, even collectively, do not make one mortal sin. Nor does Vasquez dissent from this in 1.2 disp.158 ch.6 n.6, where Palao falsely alleges him for the opinion affirming that mortal sin can be made from the repetition of venial sins, since in the cited place Vasquez only says that from the repetition of acts, which, considering the end of the legislator, are only light matter, from some circumstance can become grave matter. But expressly Vasquez 1.2 disp.146 ch.1 says: "It is undoubted among all that one mortal sin cannot be formed from many venial sins,"

and in ch.2: "It is manifest that one mortal sin cannot be made from many venial sins in themselves."

You will say: Augustine, tract 1 on the epistle of John, says: Many light sins make one great one, many drops fill a river, many grains make a mass. He asserts the same in sermon 41 on the Saints and epistle 108. And it is held in the gloss on the decree on Penance dist.1 canon "Tres sunt." I respond: Neither Augustine nor the gloss speaks of venial sins taken in themselves, but when some circumstance of danger, or scandal, or contempt is joined to venial sin, in which cases it is not venial sin being mortal, but a transition being made from venial to mortal. Because of this doctrine, I assent to the common opinion: namely that a religious who would propose not to observe any statute to whose observance he is obligated under venial sin, would then sin mortally by reason of scandal and the great loss of monastic perfection, not because venial sins make a mortal sin, but because that circumstance is a great ruin of religion. Thus Palao tom.1 tract.2 disp.2 point 9 §.4 n.2.

23 There is, however, a very great difficulty in explaining how, in the matter of justice, many venial sins do not make one mortal sin. For example, Peter has the purpose of stealing from John for a whole year, half a royal in each hour of the day. These thefts taken singly are only venial sins due to the lightness of the matter. Then, conjointly they are formally mortal sin. But the reason for doubting (and it also proceeds against the resolution of the question above in num. 22) is: that purpose of stealing in Peter is mortal; but that purpose is only of committing venial sins, therefore to propose efficaciously to commit all venial sins that occur will rather be mortal.

Lessius book 2 on Justice and Right chapter 12 doubt 7 num.39 asserts that in the aforesaid case, each minute theft contains malice, and he adds in num. 40 that they do not constitute as many mortal sins as there are physical actions, but only one mortal sin, since all depend on one deliberation. Lessius displeases only in this, that he says the thefts themselves retain venial malice of themselves; for, as Oviedo well says above in point 7 num.95, from the dependence of one theft on another, the matter conjointly taken is not small but grave. I take the reason for the whole doctrine from the common saying of all often repeated: when circumstances of themselves are not sin, if they are ordered to an act which as consummated is a sin, although such circumstances singly are not sin, conjointly as they are ordered, they constitute one sin in number. Therefore, although small thefts singly in themselves are only venial sins, nevertheless as they are ordered to consummating one act in grave matter, they will be mortal, because although those acts are physically distinct and discontinuous, nevertheless morally they are one continuous act.

Thus to the reason for doubting, I distinguish the major: that purpose of stealing is mortal if the thefts are taken as morally continuous acts, I concede the major; if they are taken as morally discontinuous acts, independently one from another, I deny the major, and then I deny the minor. For in the case posed, it would not be a purpose of committing all venial sins, but from the circumstance of continuation, such a purpose would be of committing mortal sin.

But because very many moral cases present themselves concerning both justice and other virtues, we will briefly touch upon them through the solution of doubts.

The first doubt: When is the act consummated in one who commits small thefts with the intention of multiplying them? I respond with Salas 1.2 question 88 tract 13 disp. 6 sect. 27 n.87 that one grave theft is externally consummated, for which excommunication is incurred if it is imposed, when through light thefts sufficient matter is constituted from the dependence of grave damage inflicted, so that then venial transitions to mortal by reason of the circumstance of continuation, when from the taking of another's property it is true to say: now there is a great quantity, immediately before this there was not. For the last taking constitutes grave matter. For which, note common Logic: although science has only one total object, nevertheless any habit from which science coalesces (especially in our principles: that science is not one simple quality) has its partial object. For example, in Logic, the object of knowing terms is not the object of knowing syllogisms, nor division, nor definition; nevertheless all habits of science as they are ordered to composing one science have one unique object, from which science is specified in its own way. So similarly, although light thefts singly each have their own light object, nevertheless as they are directed from the end of the one acting to one conjointly, they have one total grave object.

Therefore Oviedo above in n.96 said well that single acts are infected with grave malice as far as the interior act, not by virtue of the immediate object mandated for execution through each act, but by virtue of the object specifying the acts taken conjointly. Whence we can say that although those small thefts are venial sins from the object of the work, they transition to mortal from the object of the one acting, as is clear in alms given for fornication. The same must be said of the act of willing those thefts: for those partial volitions are formally one deliberation. It remained to be said here: What quantity suffices in the matter of theft to constitute mortal sin? Concerning which, Diana adduces various opinions in 2 p. tract 17 resolution 57. But I assent to Bonacina disp.2 on contracts q.8 point 1 n.7, where from the circumstance of What follows, he resolves this: for until notable damage follows from theft, the matter is considered light. Where he assigns the commensuration of the proportion of persons against whom theft can be committed, and the quantity which suffices in each. Let it be seen.

24 The second doubt is: whether a light theft from different persons with the intention of stealing a great quantity from all together transitions to mortal sin? For example, Peter proposes to steal half a royal from Francis, another half from Anthony, and so on up to ten or more persons. We inquire: whether he commits mortal sin? Diana 1 p. tract 6 resolution 34 and Oviedo above n.124 note that double the quantity is required for mortal sin when light thefts concern many and different persons. To the doubt, therefore, I respond affirmatively with Thomas Sanchez book 7 of the summa chapter 21 n.12. And the reason is that the retention of a notable thing against the will of the owner is mortal sin, but in the case posed, a grave thing belonging to others is retained against the will of the owners, therefore it will be mortal sin. Likewise, by parity: One selling and taking from buyers a small quantity,

when it comes to sufficient matter for mortal sin, sins mortally according to all, therefore so in our case. Hence Salas, cited above, holds that one is bound to restitution in the cases posed, either through the Bull of composition or in another way by which it can be done.

25 The third doubt is: Whether one who fulfills sufficient matter for mortal sin in theft committed through light thefts, afterward adding other small thefts, sins mortally anew? Diana 2 p. tract 17 resolution 43 responds that he does not sin anew if from the same prior intention he did not consummate the act of stealing, but by continuing the intention, he morally perseveres in the external action; but then (he says) it will be a new sin when the will consummated the act in prior actions. But it should be noted that this doctrine proceeds when there is given formal, virtual, or interpretative intention of acquiring a great quantity by light thefts; for if there is lacking advertence by which the will in some way decrees that it will acquire a great quantity, Lessius book 2 on Justice and Right chapter 12 doubt 18 judges that one sins only venially, against Vasquez 1.2 disp.146 chapter 2, although both agree that in such an event, when the great quantity is noticed, one is bound to restitution.

26 The fourth doubt is: whether when many steal a grave quantity through minute thefts, each one sins mortally? It is certain that if this happens by common counsel, all sin mortally, for all help as if one to take away a notable quantity. But in the case where each one commits his light theft, while they do not mutually help each other, with the action of one depending on another, it must be asserted with Diana 2 p. tr.17 resol.42 that they neither sin mortally nor are bound to restitution, because each of them consummates light matter. Therefore Sanch. tom.2 sum. book 7 ch.21 n.20 and 22 says: That if censure were imposed against those stealing such things, they would not incur excommunication, for example, unless by common counsel, for then Doctors note that one grave theft is continued through light thefts committed. First, when it is done in the same kind of business with the intention of growing rich, as happens in those selling small amounts of wine, oil, or other things. Second, when there is not a great interpolation of time, which Sanch. judges to be one year, but Filliuc. says it is the space of one or half a month; but in this, only dependence makes mortal sin. Third, they limit it in thefts of servants and sons of the family, if such light thefts are of foodstuffs, not that they might sell those foodstuffs, but that they might eat them. Concerning which, see Lessius book 2 ch.12 n.48.

27 The fifth doubt is: Whether one committing light transgressions both in abstinence and in veneration of feasts and vows also commits mortal sin? The common opinion is that fasting is broken by mortal sin when someone through many light meals would make grave matter in order to the refreshment of the body: e.g., if someone were to eat three, six, or two ounces singly; similarly, if someone for a short time on the same feast day were to work at various intervals, e.g., for three, four, or six hours singly. Similarly, when someone from intention omits a small quantity in any hour of the Divine Office; or when someone vowing to recite the Angelic Salutation once each day, or to give a small alms also on each day, if he omits recitation or giving of alms for many days, all of which he vowed from the same

motive, he sins mortally: because that small matter, although it is small taken singly, conjointly on the part of the one acting transitions to grave matter. Concerning which Oviedo above in point 8 treats widely throughout.

28 The sixth doubt is: from where should matter be inspected, so that it may be known when it is grave, when light? I respond, that from the whole, so that that is light matter in itself which only as viewed in the whole is grave. And that is grave which, whether it is viewed in itself or in the whole, is always grave: e.g., to steal one royal is light matter, because if it is viewed in itself as separated from the whole, it does not constitute grave matter; but to steal twenty royals is grave matter, because while it is viewed either in a hundred royals, where it composes an accumulation, or in itself, it always constitutes grave matter. Similarly in hearing Mass or omission of recitation, that will be light matter, e.g., to omit hearing up to the Gloria, or to omit one or two verses of the Psalms will be light matter: because with these viewed in themselves, mortal sin is not induced; they do induce it, however, if they were omitted with the whole.

Concerning persons in whom venial sin alone without mortal sin can be found.

This last question remains to be discussed for a full understanding of the commission of venial sin and its difference from mortal sin. First of all, it is certain that in the blessed there cannot be venial sin, speaking naturally, nor in the souls in purgatory as far as the nature of fault is concerned. Regarding wayfarers, there is difficulty, about whom it is also certain in the path of Scotus that humans in the state of innocence and Angels, while they were on the way, could sin venially before sinning mortally, about which we will discuss below. The greater controversy is: whether fallen man existing in original sin can first sin venially, before sinning mortally? For the greater part of Thomists, the opinion is negative, with St. Thomas. But as Lorca asserts, more recent Thomists have abandoned St. Thomas in this point.

29 But the contrary opinion and our conclusion is: Fallen man existing in original sin can sin venially before he sins mortally. Thus St. Bonaventure 4 dist. 21 q.1 art.1, Gabriel in the same place, Suarez, Vasquez, Valentia, Lorca disp. 63, and Master Alvarez q.89 art.6 disp. 191, who, with due peace and reverence to such a great Doctor (namely St. Thomas), considers our opinion more probable. Indeed, according to the same Alvarez, others add that St. Thomas's opinion is difficult to believe. It is therefore the common opinion among all except a few of the Thomists.

It is proved first: In an adult existing in original sin, there is no order between mortal and venial sin by which mortal sin must necessarily precede, and venial sin cannot be committed until mortal sin has been committed. For the occasion of lying can present itself before the occasion of perjury or committing another mortal sin, and thus a lie or another light sin can be committed before a mortal sin is committed.

And it is confirmed first: for one who is with original sin and first comes to the state of the use of reason, first comes to an imperfect state, in which he cannot perfectly deliberate. Therefore, if he sins then, even in grave matter, he will sin only venially. And it is confirmed second: for given that he would first arrive at a perfect state of

reason, it can happen that the first deliberation occurring to him is imperfect, just as it also happens in us existing in a perfect age. Therefore, he could then sin venially.

To these reasons the Thomists respond by supposing various principles equally difficult to prove as their opinion is. These, when refuted in order, will finally establish the truth of our opinion. Thus they argue to compose the incompatibility of venial sin with original sin alone. First, they assert that man is bound in the first instant of the use of reason to turn himself to God and order himself to the ultimate end, which if he does, he will justify himself and be cleansed from the stain of original sin, and thus venial sin afterward committed will not be joined with original sin; but if he omits this, he will sin mortally in the first instant of the use of reason, and venial sin following afterward will already be joined with the preceding mortal sin, and never with original sin alone. Thus they say that in man coming to the use of reason, it is a mortal sin not to shake off original sin through conversion to God, which he is obligated to do in the first instant of the use of reason.

Second, they say, and to establish their opinion they suppose that there cannot be invincible ignorance, even for a single instant, of this precept of turning oneself to God at the beginning of the use of reason. Third, that a child cannot first arrive at a state in which he can sin venially and not mortally, because he does not yet have perfect deliberation but imperfect, in the way that those half-asleep are said to have it.

To the first, concerning the precept of turning oneself to God: I say it is certain that there is such a precept under pain of lethal fault, which is clear from Deuteronomy 6, Matthew 22, and John 3, about which Puente Hurtado speaks at length in disp. 174 on charity, sect. 1. But concerning the time when such a precept obliges (which, since it is affirmative, although it always obliges, nevertheless not for always), there are various opinions: Thomists say it obliges for the first instant of the use of reason. Others say on all feast days. Others say once in life at the discretion of a good man. Others say once each year. Others say at the time when an adult is baptized. Others say when the Eucharist is taken. Others say when one suffers martyrdom. Others say when a great benefit is received from God. Others say when one hears blasphemy against God. And finally, when one is at the point of death. All these opinions have the foundations of their authors, which Lorca rejects individually in disp. 58 on Charity, to whose tract properly pertains the decision of this point, about which Thomas Sanchez should be seen in book 2 on the Decalogue ch. 35, and Joannes Sanchez in the selected disp. 1 n. 21. And it can reasonably be said that there are two times at which this precept seems to oblige per se. First: in the first moral instant of the use of reason. Second, on feast days: when one has consciousness of mortal sin, and God is practically proposed to oneself as the highest good to be loved for Himself above all things. For the words of the precept do not determine the time in which it obliges, and it seems to be reasonably determined both from the end of the one commanding and of the precept. That it obliges on feast days is attributed to Scotus 3 dist. 27 n. 18, about the probability of whose opinion you have a reason

above in q. 14 from n. 20, and a singular solution to the foundation of Suarez against it.

There is not a precept of turning oneself to God when man first comes to the use of reason.

30 This is the common opinion with the authors cited above. And it is proved: because such a precept, or rather its obligation, is known only to Scholastic Doctors, who mention it only when they come upon this question. And it seems morally certain that an obligation which all are ignorant of, and about which no one can be instructed, is not present in all.

The assumption is proved: because before the first vigilance of the use of reason, man is not capable of instruction, and when that first begins, already according to the opposing opinion, the obligation to fulfill the precept urges; and therefore children can never have a reason for doubting or a principle for inquiring about such an obligation, until they have at least materially transgressed it. Further, because no child can know when he is bound by this precept, since no one ever knows the first moment of his use of reason. Therefore, such a strict obligation, and under lethal fault in such a tender age, is repugnant to the sweetness of divine law.

And finally, because, even admitting this, the principal intent of the incompatibility of venial sin with original sin alone is still not obtained. For such venial sin could happen only from some extrinsic impediment (as even some Thomists admit), for a child, as soon as he obtains the use of reason, can wander a little in mind, and then not fulfill this precept, which wandering will at most be venial. Therefore, then venial sin will be committed first, rather than mortal.

You will say first: It cannot be denied that there is such a precept, therefore it obliges for some time; but no more apt time can be assigned than the first instant of the use of reason, therefore it obliges then. The minor is proved: because then man begins to operate as rational, and as such he ought to operate concerning the ultimate end, namely God. Therefore, if he is turned away from Him through sin, he ought to turn himself to Him.

I respond by conceding the prior consequence, denying the assumed minor. To its proof I say: that although it is true that man then begins to operate as rational, nevertheless he is not bound to begin to operate concerning the ultimate end, although indeed it would be expedient to begin in such a way. And further, because then some special matter could occur, around which the whole attention of the soul is carried in deliberating: whether it is according to reason or not? Therefore, then neither would the precept urge, nor would there be place for its fulfillment.

You will say second: Divine law obliges as soon as it is promulgated, just as when divine faith is preached to an infidel with congruous motives, he is immediately bound to believe. Therefore, natural law obliges similarly; but this is promulgated when man first comes to the use of reason. Therefore, he is bound to accept it and fulfill it then; and since at that time all natural commandments do not occur together

except in something in which all are implicitly included, namely in the precept of loving God, he is bound to this for that first moment.

I respond that it is true that by that very fact that natural law has been promulgated to someone, he is bound to accept it; not, however, to fulfill it immediately. Just as in the example of the infidel to whom faith is proposed, it is clear: for he is not bound to believe immediately, although he is bound not to disbelieve, except in cases in which such a precept would urge, about which we spoke above in q. 14 from n. 18. There is, however, a difference between the act of faith and of charity, for faith is the root of salvation, without which we can do nothing for salvation, and if this is deferred, it is a certain virtual doubt, and not to doubt concerning faith obliges as soon as it is sufficiently proposed, as we also said there in n. 17 at the end. Charity, however, is not the root of salvation, nor is it proposed in the instant of the use of reason, as we have proved.

But if you insist: by that very fact that someone discerns between good and evil, the first thing that is necessarily and not freely proposed is to deliberate about oneself in order to the ultimate end. Therefore, one is bound in deliberating to order oneself to God. Against this: because this is said voluntarily, for experience teaches that after much time this has not occurred to many. And given that it does occur, one will only be bound not to reject the good, not however to love God.

Invincible ignorance of this precept can be given, granted that it existed.

31 The second thing that Thomist authors suppose to establish their opinion on the incompatibility of venial sin with original sin alone is that invincible ignorance of the aforementioned precept of turning oneself to God in the instant of the use of reason cannot be given. They indeed intend to prove this in many ways, but the more they add, the less true their opinion is shown to be: for truth always stands with few (as being firm) arguments; and those things which do not have a fixed merit by which they are defended are always suspect of falsehood, but whenever they are dealt with, it is necessary to try new approaches, which is a sign that all previously invented arguments were broken.

Therefore, to give place to the question, we suppose that there is such a precept of turning oneself to God in the instant of the use of reason: And we say that in fact there is invincible ignorance of such a precept. This is proved: for it is clear from experience itself that no thought, even doubtful or scrupulous, of said precept occurs to children and adults; nor is there a reason which convinces that a child in the first instant of the use of reason must necessarily be imbued with knowledge of such a precept, which no one knows until he has heard this question in the schools.

Likewise, because there has never been a confessor who, while asking children about other light matters, asks about the transgression of such a precept, nor has any rule been assigned by the Church for inquiring about this. Therefore, either such a precept is not given, or invincible ignorance of it is given in all. And although it were true that man's first thought is always to order himself to the ultimate end, still invincible ignorance of this precept could be given, because the child might not know that this ordering is under precept. From all of which it is clearly evident how

excellently venial sin can stand and in fact stands with original sin before there is mortal sin: for either such a precept is not given; or if it is given, and there is invincible ignorance of it, it is well deduced that before someone sins mortally, he can sin venially concerning some grave matter. Which can also happen through defect of perfect deliberation, as I will now prove.

Man can arrive at a state of the use of reason which suffices for venial sin and not for mortal.

The third thing that Thomists suppose to establish their opinion is that a child cannot arrive at a state in which he can sin venially and not mortally, from the fact that the use of reason is sufficient first for mortal sin rather than for venial. But our opinion and conclusion is affirmative. Which Durandus, Palacios, Valentia, Salas, Hurtado disp.3 difficulty 12, and Tanner dist.1 q.5 doubt 4 n.76 hold. It is proved by the experience of children, who grow in the use of reason over time. The a priori reason for this is: because the alteration of organs, through which we arrive at the use of reason, is successive. Therefore, one arrives at the power of imperfectly deliberating before arriving at perfectly deliberating, just as in every motion one arrives at an imperfect terminus before a perfect one. Therefore, imperfect deliberation sufficient for venial sin and not for mortal can be given and in fact is given.

You will respond first for the opposite opinion: that it is easier to discern mortal malice than venial from honest good. Therefore, anyone who can discern venial from honest good will be able to separate mortal malice from it, and thus anyone who can sin venially will also be able to sin mortally. But against this: because although it is true that more is required to discern venial malice from honest good than mortal, and every man who is able to discern venial malice can also separate mortal, nevertheless it is not inferred from this that everyone who can sin venially can sin mortally. Because that man who could sin venially and not mortally could not contract venial malice and not mortal because he discerned the former and not the latter, or because he had perfect knowledge of venial malice and not of mortal; but it would be because without discretion of these malices, he knew malice as such so imperfectly that that knowledge would not suffice to found mortal malice.

Thus, a sin being venial and not mortal in this case does not come from defect of the matter of the object, but from defect of the weighing virtue in the power, which can perceive malice imperfectly, but not perfectly. Just as in twilight an object, whether small or large, is imperfectly known, not because the large is not more visible, but because the light of twilight is not sufficient to see any object perfectly. But if you say: It is well deduced that a power which under the light of twilight perceives a small object can also see a large one, therefore it will also be deduced that the light of reason sufficient for venial sin is also sufficient for mortal. I respond by denying the consequence: for although mortal sin is greater than venial, nevertheless to be known as perfectly as venial, it requires greater light, for it is necessary to penetrate and weigh its malice, for which it is certain that greater light is needed.

And certainly it cannot be denied that there are some mortal sins less known than venial ones: e.g., it is more known that lying is a sin than coveting another's property; and similarly a child has sufficient use of reason to know that lying is evil, and yet does not have sufficient use of reason to know that lying with an oath is mortal, and similarly in other cases.

You will respond secondly with Lorca: that although the disposition for deliberating is acquired successively, nevertheless one does not arrive at imperfect deliberation before perfect deliberation; and thus in the first instant of deliberation, the power knows evil and distinguishes it from good, and it is easier to discern mortal evil than venial. But against this: because it cannot be denied that in the half-asleep and half-drunk there is given imperfect deliberation sufficient for venial sin and not for mortal, on account of which we often excuse them from mortal sin in the complacency of pollution and other defects, because they do not deliberate perfectly. Therefore, what happens in these can also happen in the first use of reason. You will say: there is a difference, for imperfect deliberation in the half-drunk is not from defect of power, but from defect of actual application, and from some extrinsic impediment, which could also happen in children; but here it is not a matter of such indeliberation, but of the sole natural aptitude of powers. But against this: because what half-drunk adults have in their powers, it is very similar and true that children have an intrinsic weakness from age, and also, due to the abundance of humidity and other humors disturbing reason. Therefore, there can be and in fact is in these imperfect deliberation just as in those.

But you will object: he who can sin venially can also merit eternal life, therefore also eternal punishment, and thus sin mortally. I respond with Scotus 3 dist. 39 n.4 that to merit eternal life, a perfectly deliberated act is required: from which I deny the consequence from the reason of disparity. And further I add: because God is more prompt to reward than to punish; He rewards a good act imperfectly free, but does not eternally punish an evil act imperfectly free.

33 From these things the truth of our opinion in the principal point of the compatibility of venial sin with original sin alone is now clearly evident. Which I further prove thus with our Montepilosus disp.149 art. last n.8. Invincible ignorance about affirmative precepts can be given, if not as to substance, certainly as to the circumstance of time in which they oblige, as is commonly taught in the treatise on sins. Therefore, if someone were born in the forests, and upon coming to the use of reason, would not acquire full knowledge of the time in which he is obligated to love God, such a man would not sin by not eliciting such love. For it seems that one would only be obligated when God would infuse in him knowledge of His benefits and His goodness, and thus the obligation of loving God would then be taken not from the use of reason, but from Divine knowledge. Then thus: if such a man existing in the forests, not yet justified, were to steal one royal, knowing from the dictate of reason that such is a light theft, such a man would commit a venial sin; but this case can happen (otherwise liberty would be taken away). Therefore, there is given a case in which venial sin can stand with original sin alone.

34 The Thomists object: if someone were to depart with original and venial sin only, there is no place or receptacle for him in the other life, therefore it is a sign that the case is not possible. The authors who stand for our opinion commonly respond: It pertains to God's providence to dispose things in such a way that no one dies in that state, just as a predestined person existing in mortal sin will not die, even if antecedently he could die. And there are many other similar cases, the disposition of which pertains to the special providence of God. Thus such a man with original and venial sin only will either be justified or will sin mortally before he dies.

Other Jesuit authors such as Tanner, Suarez, Vasquez, and others also respond that if it so happened (which is never conceded to be future) that he would die thus, such a man would be damned eternally on account of this kind of venial sin per accidens, but with a milder punishment of sense. Which is a common saying among them about venial sin joined with mortal, to be punished eternally with the mortal sin. But this doctrine is not admitted among Scotists, since all in the treatise on Sins hold the contrary.

With these also agree Navarrus on Penance dist. 6 §Sacerdos n.27, Medina code on satisfaction q.2, Coninck disp.10 doubt 6, and Hurtado disp.8 on Sins difficulty 12, namely that venial sin is not punished with eternal punishment in hell, but is finished through the temporal satisfaction due. Therefore, in our case it must be said either that such a one is to be purged of venial sin in purgatory, and after being purged will go to the limbo of children, or what is more agreeable to reason: about such a case, because it is a conditional future dependent on God's freedom with a condition that will not be fulfilled, nothing can be affirmed except by divining.

A Venial Sin Could Exist in Man in the State of Innocence

35 Scotus expressly holds this conclusion in 2 dist. 21 quest. 1, whom all disciples and many outsiders from the Jesuits follow, who only from the decency befitting the most happy state of Innocence deny that venial sin was in it, but not because from man's own powers and graces or gifts intrinsically inherent in that state venial sin could not exist. Thus Oviedo, who also cites many others in tract 6 controversy 3 point 10 number 165.

The Thomists insist that by virtue of the state and gifts which man enjoyed in it, it is repugnant that he should have committed any venial sin, for by that very fact he would lose such a state. The conclusion is proved first from Scotus: if such repugnance existed, it would be especially because such a state would have some intrinsic gift incompatible with venial sin; but this is false, therefore... The minor is proved because nothing can be assigned more incompatible with venial sin than all the gifts of sanctifying grace and confirming man in grace are incompatible with it, who without doubt can sin venially, according to that of John Epistle 1 chapter 1: "If we say that we have no sin, we deceive ourselves," without loss of those gifts and confirmation in them, through which indeed he is more joined to God than man was in the state of innocence. Therefore, that state as far as the intrinsic gifts which it includes could persevere with venial sin, nor was it necessary that it be lost through venial sin, as the Thomists assert.

The whole assumption is proved: nothing can be more incompatible with venial sin than what more greatly joins to God, but that state did not include anything that more greatly joined to God than the state of confirmation in grace and of most perfect men, who nevertheless could and can sin venially. Therefore, similarly it could happen in the state of innocence, with the state itself persevering.

And it is confirmed: because when they say that venial sin would take away the state of innocence and its highest rectitude, either they understand this about innocence and rectitude as to all things which that state included, or as to some things, which being consequently taken away, the complete rectitude and innocence which was antecedently would not remain. If the first, it is manifestly false, because venial sin would not have to take away faith, hope, and charity or sanctifying grace, which are involved without doubt in the state of innocence. If the second, I inquire: what would be those things that would be taken away?

If some negations, certainly none other than of venial sin itself (which indeed can be of the nature of innocence and rectitude, since he who has no sin is more innocent and upright than he who has some); but although venial sin would take away this part of rectitude and innocence, Adam would not therefore cease to be simply just and innocent; nor would it follow that it would be a mortal sin for him to take away this part of his innocence and rectitude, therefore... If something positive, certainly nothing except something of the intensity of some habit, or some Act which he would elicit if he had not committed venial sin, and with which venial sin would not be compatible; but either it would not diminish anything of any habit of virtue, or if it diminished, it would not be a mortal sin for him to diminish it, just as it is not a mortal sin for us to diminish something of the intensity of a virtuous habit, if we do it by sinning venially, therefore...

If it were some Act of some virtue, which would be impeded by venial sin, it would not be necessary that he be bound to elicit that act always under pain of mortal sin; and consequently although venial sin would impede it, it would not follow that innocence would be lost simply or something of it, the loss of which would be mortally sinful. Therefore neither would something necessarily be lost through a sin which otherwise would be venial, by reason of which it would be mortal to commit it. Whence consequently it must be said that in the composed sense of the state of innocence, insofar as the state of innocence denotes all gifts of grace bestowed on Adam, he could sin venially before sinning mortally and although he would in no way sin mortally.

36 To the above reason for our conclusion, the Thomists commonly respond with Cajetan: It does not come about that there is no venial sin in the state of innocence from the fact that man was more joined with God through original justice than through sanctifying grace and confirming him in it; but because original justice not only subjected the mind to God, but also the body to the soul, and the inferior powers to reason, so that the inferior powers could not violate such an order unless the superior order was first removed, which violation of the superior order would necessarily be a mortal sin.

But against this Scotus responds there in n. 4 that not every disorder in the superior part is a mortal sin: for some light doubt from surreptition or without sufficient advertence for mortal sin concerning matters of faith undoubtedly pertains to the superior part; and such would not be a mortal sin. Furthermore, with the superior order standing upright, venial sins can be committed by choice regarding means not necessary to the end: for although the will cannot be turned away from the end, it can be turned away from means not necessary but useful to the end, as venial sins turn away.

Our conclusion is proved secondly from Scotus *ibid.* n. 2 because there are given some acts from their kind, that is from the part of the matter about which they are concerned, if the precept of some superior prohibiting them under mortal sin does not accede, which are only venial sins, such as the utterance of an idle word, or a joking lie; but God did not prohibit all acts of this kind to Adam under mortal sin—for such a precept cannot be shown—therefore if Adam had done any act of this kind, he would not sin except venially. But this being supposed, nothing at all prevents him from being able to do it, therefore he could sin venially in that state before mortal sin.

And by this the answer to another reason of the Thomists is clear: namely that in that state man could do nothing except from full deliberation. For besides the fact that it is false, as we said about light doubt from surreptition and without sufficient advertence for mortal sin concerning matters of faith, also from this second reason it is clear that from full deliberation, by saying a joking lie, he could sin venially; which indeed would not be repugnant to the rectitude and actual merit of that most excellent state: just as some vainglory, which is venial, can accompany an act of most excellent charity. And as Scotus says, God would have obliged the wayfarer to something too difficult if He had obliged him in that state, by necessity of salvation, to always do what would have been better or more expedient, or to avoid whatever would be retardative to what is better—such as these light venial sins are. Since therefore there is no precept of this kind, and man was free, there is no reason to deny that he could sin venially.

37 The Thomists object first: Original justice joined man to God in such a way that with such a union remaining, he would not suffer any evil either in body or in spirit, such as venial sin is, which indeed he had from the special help due to that state; which they also confirm with many authorities of Augustine from book 14 of the *City of God*, chapter 15 and chapter 26, where in many places the holy Doctor asserts the tranquility of man in Paradise both as to body and as to soul, and security from all distress of sadness, hunger, thirst, etc.

I respond: first of all, such special help is posited by the Thomists without foundation and too voluntarily to defend their opinion. To the argument, therefore, and to the authorities of Augustine I respond at the same time: the holy Doctor does not speak of what could happen in Paradise, but of what happened in fact; hence truly these authorities are not to the point. Furthermore, he speaks of what would follow by virtue of the state, if man himself from his liberty did not fall into some imperfection. Thus there was nothing in that state which would offend his soul, except what he

himself freely wanted to be in himself; and there would be the highest tranquility in his soul, except insofar as he himself by sinning lightly would diminish his own tranquility; nor was there or could there be any vain joy, which would be mortal, with the innocence of such a state, but some venially vain joy could well be in it. And similarly I respond with proportion to the imperfections and distresses of the body: he would have none except those which he himself freely procured for himself, namely light ones, not grave ones. Thus in that state he would not feel grave distress even if he procured it, because this would not be compatible with that state, just as neither would mortal sin; but well a light one if he wanted from his liberty, because this was not incompatible nor would it obstruct the happiness of the state, just as neither would venial sin.

38 They object secondly: Some punishment is due to every sin, and to the first sin no other is due except death, Genesis 2; but death is not due to venial fault, therefore the first sin had to be mortal. Scotus responds that if the first sin were mortal, the punishment of death would be due to it; but not if it were venial: for so grave a punishment is not due to a light sin, as venial is, to which another punishment is due, namely some displeasure or something else of this kind, and this was not repugnant to that state, nor would it have corrupted any rectitude or stable sanctity and tranquility, either habitual or actual, which man ought to have in the state of innocence, and which would be of the essence of that state, or a property, or a necessary accident of it. Otherwise venial sin would be equally repugnant as mortal sin with that rectitude, which no one will say. And it is clear by entirely certain examples: for just as actual opinion can stand with habitual science, so venial sin could consist with the highest habitual rectitude of that state.

Likewise, just as venial sin of vainglory can stand with a most excellent meritorious act as we said, so it seems that with any highest actual rectitude whatsoever, which man ought to have for the state of innocence, venial sin could stand, therefore also any light punishment corresponding to it with the highest tranquility. Scotus also responds differently, that in that state no punishment would correspond to venial sin, but one committing venial sin would be a debtor to elicit a more fervent act of charity, which fervor would consume venial sin.

You will say: In venial sin there is both fault and punishment, and although fault would be remitted through an act of charity, nevertheless punishment is always remitted through some satisfaction in this life, or through suffering in purgatory. I respond from Scotus 4 dist. 21 q.1 n.8 that venial sin in this life can be remitted not only through interior or exterior punishment, which is not absolutely necessary for this, but also through some act more acceptable to God than venial sin displeases, and this either related by the one operating himself to the remission of this venial sin, or not related by him, but by God accepting it in order to that.

You will insist: in these acts virtual displeasure is always understood, so that if venial sins occurred to memory, they would displease. I respond: in that state without any formal penitence, through a fervent act of charity accepted by God in order to the remission of venial sins, they could be remitted even if they occurred to memory. For even among men, he who is truly a friend does not require from a friend that he

have detestation for minute faults, when otherwise he experiences more fervent love in him. Therefore much less will that detestation of venial sins be necessary in the state of innocence, in which there would be most fervent acts of charity, although indeed for this state virtual or actual penitence, if they occur to memory, is necessary.

You will object thirdly: From these principles it would follow in the same way that venial sin could stand with beatitude. To this Scotus responds that from the force of beatitude precisely this would be true; but nevertheless in fact it cannot stand because he has a precept to always continue the beatific act, and to love God as much as he can; and he cannot love Him thus if he did something by which He would be offended, even lightly. Or it could be responded otherwise by denying the consequence: because the blessed has something morally determinative to not sin venially, namely the vision itself and beatific love, but man does not have such a determinative for the state of innocence.

You will object fourthly: Venial sin comes from imperfection of act, such as sudden movements, or from surreptition of sensuality; but in that state neither existed, therefore... It is proved: for the fact that there are sudden movements in reason comes from the fact that the execution of reason is not subject to the deliberation of the will; but the fact that movements of sensuality arise comes from the fact that sensuality is not subject to reason. But in the state of innocence all things were subject to reason, therefore there could not be venial sin.

I respond first: From what has been said, it is clear that even from full deliberation there could be venial sin concerning light matter not prohibited under mortal sin, such as a joking lie or an idle word would be. I respond secondly: Adam did not always actually consider all things, therefore there could be in him a sudden movement of infidelity, as Scotus was saying above in num. 36.

But if you say that those sudden movements come from inferior powers not perfectly subject to reason (for from the fact that the imagination prevents reason and is not altogether subject to it, it comes about that reason does not perfectly propose the good, and so there is a sudden movement in the will), but in that state the inferior powers would be perfectly subject to the superior, therefore then there would not be sudden movements.

I respond first: such sudden movements can also come from the defectibility of nature, from which it comes about that Adam was not always in actual knowledge of things, and thus there would be such sudden movements. I respond secondly: that if the state of innocence had persevered, children who would be born would have grown not only in body but also in knowledge, as Scotus teaches in 2 dist. 20 q.3. And we said above in the preceding question, n.21, whence they would not have from the beginning perfect use of reason, which Augustine also taught in book 1 on the Merits of Sins, ch.37 and 38, and book 2 ch. 29, and elsewhere. Therefore, they would have use sufficient for venial sin, and not for mortal.

Angels on Their Way Could Have Venial Sin

39 This conclusion relies on almost the same principles as the preceding one, and proceeds concerning Angels created in grace, attending to the powers of their own nature and the grace bestowed on them: whether they are capable of committing venial sin. But not what happened in fact. In this sense, many Doctors cited by our Felix chapter 16 on sins, difficulty 6, hold our conclusion. It is against Alensis, St. Thomas, Cajetan, Conrad, and the Thomists.

And it is proved: venial sin could not be given in Angels only because there cannot be in them any indeliberate cognition preventing their free command, which could cause surreptitious movements in their will—which is the entire foundation of the opposite opinion; but such indeliberate cognition can be given, therefore, etc. The minor is proved: An Angel is capable of extrinsic excitation either through the speech of another Angel wanting to deceive him in a light matter (in which the speaking Angel would also sin venially), or through illumination from God. But both speech made by an Angel and illumination made by God illuminating can excite indeliberate cognition preventing the free command of the hearer and the illuminated, therefore such indeliberate cognition can be given in an Angel.

Likewise, the intellect of an Angel can be excited before any command of the will by some species among those it contains. For just as, given that it could not be excited by extrinsic objects by which it is not immediately changed, it could nevertheless be excited by species, which are no less apt than objects to move the intellect to knowledge of themselves before any free command of the will—as is clear in man, whose not only intellect but also internal senses are often excited by species which they contain before any free command of the will, as is evident in nocturnal imaginations. Therefore, indeliberate cognition can be excited in an Angel from within before the command of the will.

You will say first: It is not enough for surreptitious and indeliberate movements that the cognition from which such movements originate prevents the free command of the will, but furthermore it is required that such cognition not bring full advertence to the object and all its circumstances, which does not happen in an Angel. But against this: because cognition can lack full advertence to the object and all its circumstances from two sources. First, from the nature of the cognition, which because it does not represent the object through its proper species and as it is in itself, but abstractively and in the sole authority of the one speaking, can, due to the defect of some circumstance not represented in the object, fall short of full advertence. Second, from defect of attention required for full advertence, which would happen when an Angel, from vehement occupation with another object, would be unable to attend perfectly to a new object excited by indeliberate cognition.

The first is clear in knowledge had through faith from another Angel, which since it does not represent the object in itself, but in the concept of the speaking Angel, which not from its own nature and extrinsic connection, but from the extrinsic testimony of the speaker leads into the intellect of the hearer to the truth of the

object, from its own nature does not bring full advertence and clear representation of the object as it is in itself. Therefore, such knowledge preventing the free command of the hearer will be able to excite in him some indeliberate movement: for before the Angel forms a certain judgment about the truth of the speaker, there precedes a simple apprehension of the testimony of the speaker and of the object to be believed, sufficient indeed and apt to cause some indeliberate movement in the hearing Angel.

The second is also clear and could happen when in an Angel occupied in some consideration of a grave matter, new knowledge is excited about an evil object vehemently alluring the will. For then, due to excessive occupation in a disparate object, he will not be able to attend sufficiently to all the circumstances of the recently proposed object, since he cannot, due to the finitude of power, attend perfectly to both objects simultaneously, as we were saying above about man.

You will say secondly: An Angel does not reason. Therefore, just as he knows conclusions in principles, so in appetible things his will proceeds: for it cannot be carried nor have disorder in those things which are to the end, unless first or simultaneously there is disorder concerning the end, which will certainly be a mortal sin. I respond that it is false that an Angel does not reason; indeed concerning some objects it is certain that he necessarily reasons, as is commonly held in the way of Scotus 2 dist. 1 q. 6 n. 3, about which our Philip Faber 2 disp. 40 should be seen. Likewise, there could be venial sin in an Angel concerning the end, as we said above in a similar state of Innocence.

40 You will object first: An Angel can desire nothing except in order to the due or undue ultimate end, therefore there cannot be venial sin in an Angel, because venial sin is only a defect concerning means. The antecedent is proved because an Angel resolves everything down to first principles, and the first principle in agible things is the ultimate end, therefore... And it is confirmed because good Angels in fact desire everything for the due ultimate end, which is God; and evil ones work everything for the undue ultimate end, which is pride, on account of which all their sins are mortal.

I respond by denying the antecedent, because an Angel is not forced to intend everything for the ultimate end, whether due or undue; otherwise all good acts which he would elicit in pure nature would be of natural charity, and all evil ones of pride, which is false. Secondly, granted that he works everything for the ultimate end, I deny that all sins which he would commit in pure nature include notable deformity toward the ultimate end, as would be a light lie, which he could commit due to inordinate appetite for his own excellence, which is his undue ultimate end.

To the confirmation, I deny the antecedent; otherwise all acts in blessed Angels would be of charity toward God, and all in the damned would be of pride. For not all acts in damned Angels are mortal sins: for when they provoke men to some venial sin, or when they lie in light matter, they do not sin mortally, therefore only venially. But if you say they do all these things to seduce men, and so sin mortally, against this: because either they apply this end freely or necessarily; if freely, therefore they

can not apply it; if from necessity, therefore they do not sin, because what happens necessarily is not a sin. Which is also confirmed from Scotus 2 dist. 7 n. 24 at the end, asserting quite probably that the damned can perform some morally good work.

You will object secondly: All surreption in us draws its origin from the senses, because through the imagination they move the intellect to think about some object which allures the will before it can apply reason to thinking perfectly about such an object; but in Angels there is no sense, therefore neither capacity for surreption, on account of which they sin venially. And it is confirmed because indeliberate motion in us is when perfect advertence is not in our power; but this impotence is not in an Angel, who from perpetual and necessary knowledge of himself can always excite perfect knowledge of any object for himself, therefore...

To this argument, which is of Suarez and Vasquez, I respond that the assigned reason for surreption is not an adequate cause, but a sufficient one. For the adequate cause is knowledge without full advertence of reason anticipating the free command of the will, which we proved above to be possible in an Angel. To the confirmation, I say that this impotence would not be in an Angel absolutely and always, but for at least some instant, namely when an Angel is vehemently occupied with new knowledge; for then, due to defect of cognitive power, he cannot attend perfectly to both objects simultaneously, as we said above.

41 You ask lastly: How does venial sin dispose to mortal? Where it is certain from that of Ecclesiasticus 19, "He who despises small things will fall little by little," with almost all the Holy Fathers to be seen in Canisius in his Catechism on the expiation of sins §2, that venial sin disposes to mortal. But in what way and by what modes is the difficulty.

And first it is certain that all venial sins dispose to mortal by removing the fear of God, subjection to the law, and fervor of charity, from which many holy thoughts are impeded from arising in us, with which we would more easily resist mortal sins. This is what Scotus wanted in 4 dist. 4 q. 7 n. 5 at the end: "An act with which venial sin concurs is less intense and therefore less meritorious." Behold how according to Scotus venial sin disposes to mortal by removing the intensity of merit and consequently the use of Divine helps; and in this sense from the common opinion of Theologians, Lugo says in disp. 9 on Penance sect. 1 n. 9 that although venial sin is not opposed to charity, it is nevertheless opposed to the fervor of charity.

Again, venial sins from indeliberation, from smallness of matter, and from the object dispose insofar as from venially sinful acts a habit is left in the power, by which it is inclined to similar acts from the object: e.g., first movements repeated, repeated thefts in small quantity, joking lies, withdraw from the fervor of charity, from the love of God, from subjection to the law. Thus it can be said that venial sins indirectly incline to mortal sins, either because they generate a habit inclining to mortally sinful acts, or because they are the beginning or root of such habits taking away the use of Divine helps.